

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

MICHAEL VERLANDER,

Plaintiff,

v.

Civil Action No.: _____

**FEDERAL EXPRESS CORPORATION,
and DILLON GAGE INCORPORATED,**

Defendants.

**TO THE JUDGES OF THE UNITED STATES DISTRICT COURT, FOR THE WESTERN
DISTRICT OF TEXAS, AND TO PLAINTIFF:**

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that FEDERAL EXPRESS CORPORATION (“FedEx”) hereby files its Notice of Removal under 28 U.S.C. §1441 to effect removal of this matter which was commenced in the District Court of El Paso County, Texas, 41st Judicial District, under case number 2021DCV0840. Defendant states that removal is proper for the following reasons:

**REMOVAL IS PROPER BECAUSE PLAINTIFF’S CLAIM
PRESENTS A FEDERAL QUESTION UNDER 28 U.S.C. §1331**

1. On April 6, 2021, Plaintiff filed a Complaint styled Michael Verlander vs. Federal Express Corporation and Dillon Gage Incorporated, in the District Court of El Paso County, Texas, 41st Judicial District. FedEx’s records indicate that its Legal Department first received notice of this action on April 9, 2021 and thirty days since such notice has not yet expired. Copies of the foregoing documents are attached hereto as Exhibit A. These documents constitute all pleadings,

process and other documents served upon Defendant in this action. These documents were the initial pleadings served upon Defendant setting forth the claims upon which Plaintiff's action is based.

2. The above-styled suit is a civil action for money damages in which Plaintiff alleges that Defendant lost a shipment of gold, which resulted in monetary damages.

3. Defendant Federal Express Corporation was and is incorporated in the state of Delaware and at all relevant times had its principal place of business in the state of Tennessee.

4. The Plaintiff does not proclaim his state of citizenship in the Complaint, but Plaintiff is presumably a citizen of the state of Texas.

5. The United States District Courts have original jurisdiction by reason of federal question jurisdiction, 28 U.S.C. § 1331.

6. Because the claims asserted by the Plaintiff in his Complaint and the potential liability of the Defendant arise from a shipment carried by a federally certificated air-cargo carrier engaged in the interstate transportation of air cargo, Plaintiff's claims are governed by principles of federal common law applicable to shipments made in interstate commerce by a federally certified air carrier such as FedEx. *See Read-Rite Corp. v. Burlington Air Express, Ltd.*, 186 F.3d 1190, 1198 (9th Cir. 1999). As such, this Court has original jurisdiction over the subject matter of this civil action pursuant to 28 U.S.C. § 1331 and this civil action may be removed pursuant to 28 U.S.C. § 1441(b). *See Sam L. Majors Jewelers v. ABX, Inc.*, 117 F.3d 922, 929 (5th Cir. 1997)(“Therefore, a federal cause of action continues to survive for freight claims against air carriers.”); *McCall-Thomas Eng'g Co. v. Federal Express Corp.*, 81 F.3d 28, 30 n.1 (4th Cir. 1996)(“Claims involving shipments in interstate commerce by air carriers are governed by federal

law.”); *see also* *Diero v. American Airlines, Inc.*, 816 F.2d 1360, 1365 (9th Cir. 1987); *First Pennsylvania Bank, N.A. v. Eastern Airlines, Inc.*, 731 F.2d 1113, 1116 (3d Cir. 1984); *North American Phillips Corp. v. Emery Air Freight Corp.*, 579 F.2d 229, 234 (2d Cir. 1978)(case involving the interstate shipment of goods by air sets forth a claim arising under federal law). Every federal circuit court that has addressed the issue has found that removal to federal court is proper in cases involving the interstate transportation of goods by air.

Respectfully Submitted,

Firth♦Bunn♦Kerr♦Neill
311 Montana, Suite B Law Center
El Paso, Texas 79902
P. O. Box 942 (79946-0942)
Telephone: 915-532-7500
Fax: 915-532-7503

By: 

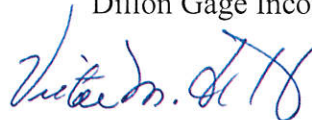
Victor M. Firth
State Bar No. 07039850
vfirth@fbknlaw.com
Attorneys for Federal Express Corporation

Certificate of Service

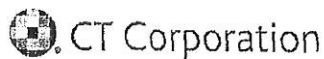
I certify that a true and correct copy of this Notice of Removal was served by email on all counsel of record on May 5, 2021:

Stuart R. Schwartz
ScottHulse PC
ssch@scotthulse.com
Attorneys for Plaintiff

Jacob B. Kring
Megan E. Servage
Hedrick Kring, PLLC
Jacob@HedrickKring.com
Megan@HedrickKring.com
Attorneys for Defendant
Dillon Gage Incorporated of Dallas



Victor M. Firth



**Service of Process
Transmittal**

03/25/2021

CT Log Number 539274142

TO: Matthew Endlish
Fedex Ground Package System, Inc.
1000 FED EX DR
MOON TOWNSHIP, PA 15108-9373

RE: Process Served in Texas

FOR: FedEx Ground Package System, Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: MICHAEL VERLANDER, Pltff. vs. FEDEX GROUND PACKAGE SYSTEM, INC. And DILLON GAGE INCORPORATED, Dfts.

DOCUMENT(S) SERVED: Notice, Return, Petition

COURT/AGENCY: 41st Judicial District Court El Paso County, TX
Case # 2021DCV0840

NATURE OF ACTION: Claims for Relief and Discovery Control Plan

ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX

DATE AND HOUR OF SERVICE: By Process Server on 03/25/2021 at 03:18

JURISDICTION SERVED : Texas

APPEARANCE OR ANSWER DUE: by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition

ATTORNEY(S) / SENDER(S): Stuart R. Schwartz
ScottHulse PC
P. O. Box 99123
One San Jacinto Plaza, 11th Floor
El Paso, TX 79999-9123
915-533-2493

ACTION ITEMS: CT has retained the current log, Retain Date: 03/25/2021, Expected Purge Date: 03/30/2021

Image SOP

Email Notification, Matthew Endlish matthew.endlish@fedex.com

Email Notification, Lisa Santucci lisa.santucci@fedex.com

REGISTERED AGENT ADDRESS: C T Corporation System
1999 Bryan Street
Suite 900
Dallas, TX 75201
877-564-7529
MajorAccountTeam2@woitersklower.com



**Service of Process
Transmittal**

03/25/2021

CT Log Number 539274142

TO: Matthew Endlish
Fedex Ground Package System, Inc.
1000 FED EX DR
MOON TOWNSHIP, PA 15108-9373

RE: Process Served in Texas

FOR: FedEx Ground Package System, Inc. (Domestic State: DE)

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

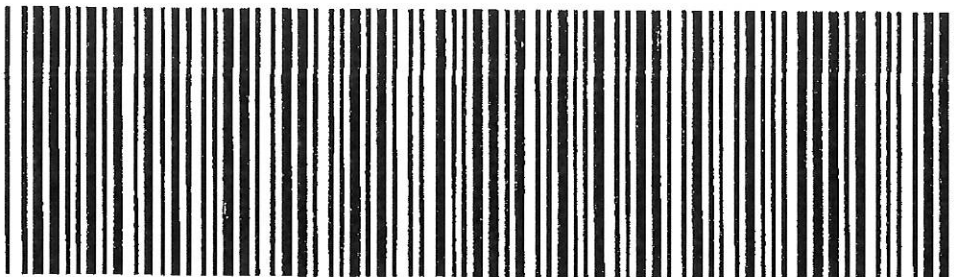


PROCESS SERVER DELIVERY DETAILS

Date: Thu, Mar 25, 2021

Server Name: Donna King

Entity Served	FEDEX GROUND PACKAGE SYSTEM, INC.
Agent Name	CT CORPORATION SYSTEM
Case Number	2021DCV0840
Jurisdiction	TX



3/25/21
DSK

THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make Initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org"

TO: **FEDEX GROUND PACKAGE SYSTEM, INC.**, which may be served with process by serving its registered agent, **CT Corporation System** at 1999 Bryan St., Ste. 900, Dallas, TX 75201-3136 or wherever he/she may be found.

Greetings:

You are hereby commanded to appear by filing a written answer to the **Plaintiff's Original Petition** at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **41st Judicial District Court**, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on this the 11th day of March, 2021 by Attorney at Law, **STUART R. SCHWARTZ**, P.O. BOX 99123, ONE SAN JACINTO PLAZA 11TH FLOOR, EL PASO, TX 79999-9123, in this case numbered **2021DCV0840** on the docket of said court, and styled:

MICHAEL VERLANDER

V.

FEDEX GROUND PACKAGE SYSTEM, INC., AND DILLON GAGE INCORPORATED

The nature of Plaintiff's demand is fully shown by a true and correct copy of the **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at El Paso, Texas, on this the 17th day of March, 2021.

CLERK OF THE COURT

NORMA FAVELA BARCELEAU
District Clerk
El Paso County Courthouse
500 E. San Antonio Ave, RM 103
El Paso, Texas 79901



Attest: NORMA FAVELA BARCELEAU District Clerk
El Paso County, Texas

By: , Deputy
Clarisa Aguirre

Rule 106: "the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivery endorsed thereon and with a copy of the petition attached thereto."

RETURN

Came on hand on _____ day of _____, 20____, at _____ o'clock _____ M., and executed in _____ County, Texas, by delivering to each of the within-named defendants, in person, a true copy of this Citation, having first endorsed thereon the date of delivery, together with the accompanying true and correct copy of the **Plaintiff's Original Petition**, at the following times and places, to-wit:

NAME	DATE			TIME			Place, and Course and Distance
	MONTH	DAY	YEAR	Hour	Min.	____, M.	From Court House

And not executed as to the defendant, _____

The diligence used in finding said defendant, being _____

And the cause of failure to execute this process is: _____

And the information received as to the whereabouts of the said defendant, being _____

FEES—SERVING _____ copy _____ \$ _____ Sheriff

_____ County, Texas

Total _____ \$ _____ by _____, Deputy

CERTIFICATE OF DELIVERY

I do hereby certify that I delivered to _____,

_____ on the _____ day of _____,

20____, at _____ o'clock ____m. this copy of this instrument.

_____, Sheriff/Agent

_____ County, Texas

By _____, Deputy/Agent

SUBSCRIBED AND SWORN TO BEFORE ME ON THE _____ DAY OF _____, 20____.

(SEAL)

NOTARY PUBLIC, STATE OF TEXAS

El Paso County - 41st District Court

Filed 3/11/2021 4:47 PM

Norma Favela Barcealeu

District Clerk

El Paso County

2021DCV0840

MICHAEL VERLANDER,

Plaintiff,

v.

FEDEX GROUND PACKAGE SYSTEM, INC.,
and DILLON GAGE INCORPORATED,

Defendants.

No. 2021dcv_____

PLAINTIFF'S ORIGINAL PETITION

TO THE COURT:

COMES NOW MICHAEL VERLANDER, Plaintiff, and files this Plaintiff's Original Petition complaining of FEDEX GROUND PACKAGE SYSTEM, INC. and DILLON GAGE INCORPORATED, Defendants, and for cause would show the Court the following:

I.

Claims for Relief and Discovery Control Plan

1. The damages sought are within the jurisdictional limits of this Court. Tex. R. Civ. P. 47(b). Upon current information and belief, this lawsuit seeks only monetary relief of \$250,000 or less, excluding interest, statutory or punitive damages and penalties, and attorney fees and costs.. Tex. R. Civ. P. 47(c)(1). Discovery is intended to be conducted under Level 1 of the Discovery Control Plan - Expedited Action. Tex. R. Civ. P. 190.2.

II.

Parties

FEDEX GROUND PACKAGE SYSTEM, INC. ("FedEx") is a foreign corporation and can be served by serving its registered agent, CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201-3136.

DILLON GAGE INCORPORATED ("Dillon Gage") is a Texas corporation and can be served with process by serving its Registered Agent, Stephen W. Miller, 15301 Dallas Parkway, Ste. 200, Addison, Texas 75001.

III.
Jurisdiction and Venue

This is, in part, a Carmack/Cargo Claim action arising from a shipment of gold bars (the "Cargo") under the provisions of 49 U.S.C. §14706 et. seq. (the "Carmack Amendment"). The Cargo was transported by FedEx in interstate motor carriage from Dallas, Texas to Plaintiff in El Paso, Texas.

IV.
Facts

Plaintiff purchased gold bars from Dillon Gage. Dillon Gage was responsible for the shipment of the Cargo to Plaintiff in El Paso. FedEx agreed to transport the Cargo by interstate motor carriage from Dallas, Texas to El Paso, Texas in exchange for certain consideration. Upon information and belief, the Cargo was tendered by Dillon Gage to FedEx in good order and condition and suitable in every respect for the intended transportation, which FedEx received and accepted for transport. The Cargo was to be carried and transported by FedEx and then delivered in the same quantity and in the same good order condition as they were received. However, FedEx failed to deliver the Cargo to its destination in good order and condition. Instead, the Cargo was entirely lost or stolen during transportation. The Cargo was a total loss. Plaintiff filed a police report with the El Paso Police Department pertaining to the loss.

V.
Carmack Claims

Plaintiff asserts claims against FedEx pursuant to the Carmack Amendment, 49 U.S.C. §14706. By receiving the Cargo in good order and condition at origin, and failing

to deliver the same to destination, FedEx breached and violated its duties and obligations as a motor carrier, and/or bailees; breached the contract of carriage; was negligent and careless in its handling of the Cargo; and otherwise is at fault for the loss alleged herein.

The loss was not caused by any circumstance that would provide a carrier or freight forwarder with a defense or exception to liability, such as inherent vice or an act of God,

VI.
Negligence

During transport of the Cargo by FedEx, the Cargo was negligently loaded and cared for, causing damage to and loss of the Cargo. FedEx was negligent in failing to properly load and secure the Cargo during transport, failing to take adequate precautions to prevent the Cargo from being damaged or stolen while in transport, and failing to deliver the Cargo. These acts and/or omissions constituted a breach of the duties of care owed by FedEx, acting as interstate carriers and/or bailees, to Plaintiff, and was a proximate cause of Plaintiff's damages.

VII.
Breach of Contract

Plaintiff purchased gold bars from Dillon Gage. Dillon Gage failed to deliver the gold bars to Plaintiff.

VIII.
Damages

Plaintiff has sustained damages in the amount of \$20,208.

IX.
Jury Demand

Plaintiff hereby demands a trial by jury.

X.
Conditions Precedent

Plaintiff has duly performed all of the duties, obligations, and conditions precedent to be performed on their part, including the submission of a timely notice of claim.

XI.
Attorney's Fees

This default made it necessary for Plaintiff to employ the undersigned firm of attorneys to file suit. A reasonable fee for the attorney's services rendered and to be rendered is no less than \$1,500.00. In addition, Plaintiff seeks recovery for reasonable attorney's fees through appeal.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants be cited to appear and answer herein; that Plaintiff be granted judgment for his damages; that Plaintiff be granted judgment for no less than \$1,500.00 as reasonable attorney's fees through trial and appeal; that Plaintiff be granted judgment for pre-Judgment and post-Judgment interest at the highest rate permitted by law on the total amount of the judgment from the date of judgment until paid; that Plaintiff be granted judgment for costs of court; and for such other and further relief, both general and special, at law and in equity, to which it may be justly entitled.

Respectfully submitted,

ScottHulse PC

P. O. Box 99123
One San Jacinto Plaza, 11th Floor
El Paso, Texas 79999-9123
(915) 533-2493
(915) 546-8333 (Facsimile)

By: Stuart R. Schwartz
STUART R. SCHWARTZ
State Bar No. 17869750-1
Attorney for Plaintiff

IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS

41ST JUDICIAL DISTRICT COURT

MICHAEL VERLANDER,

Plaintiff,

v.

FEDERAL EXPRESS CORPORATION,
and DILLON GAGE INCORPORATED,

Defendants.

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No. 2021DCV0840

PLAINTIFF'S AMENDED PETITION

TO THE COURT:

COMES NOW MICHAEL VERLANDER, Plaintiff, and files this Plaintiff's Amended Petition complaining of FEDERAL EXPRESS CORPORATION and DILLON GAGE INCORPORATED, Defendants, and for cause would show the Court the following:

I.

Claims for Relief and Discovery Control Plan

1. The damages sought are within the jurisdictional limits of this Court. Tex. R. Civ. P. 47(b). Upon current information and belief, this lawsuit seeks only monetary relief of \$250,000 or less, excluding interest, statutory or punitive damages and penalties, and attorney fees and costs. Tex. R. Civ. P. 47(c)(1). Discovery is intended to be conducted under Level 1 of the Discovery Control Plan - Expedited Action. Tex. R. Civ. P. 190.2.

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obligations as a motor carrier, and/or bailees; breached the contract of carriage; was negligent and careless in its handling of the Cargo; and otherwise is at fault for the loss alleged herein.

The loss was not caused by any circumstance that would provide a carrier or freight forwarder with a defense or exception to liability, such as inherent vice or an act of God,

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Plaintiff hereby demands a trial by jury.

X.
Conditions Precedent

Plaintiff has duly performed all of the duties, obligations, and conditions precedent to be performed on their part, including the submission of a timely notice of

claim.

XI.
Attorney's Fees

This default made it necessary for Plaintiff to employ the undersigned firm of attorneys to file suit. A reasonable fee for the attorney's services rendered and to be rendered is no less than \$1,500.00. In addition, Plaintiff seeks recovery for reasonable attorney's fees through appeal.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants be cited to appear and answer herein; that Plaintiff be granted judgment for his damages; that Plaintiff be granted judgment for no less than \$1,500.00 as reasonable attorney's fees through trial and appeal; that Plaintiff be granted judgment for pre-Judgment and post-Judgment interest at the highest rate permitted by law on the total amount of the judgment from the date of judgment until paid; that Plaintiff be granted judgment for costs of court; and for such other and further relief, both general and special, at law and in equity, to which it may be justly entitled.

Respectfully submitted,

ScottHulse PC
P. O. Box 99123
One San Jacinto Plaza, 11th Floor
El Paso, Texas 79999-9123
(915) 533-2493
(915) 546-8333 (Facsimile)

By: Stuart R. Schwartz
STUART R. SCHWARTZ
State Bar No. 17869750-1
Attorney for Plaintiff

IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS

41ST JUDICIAL DISTRICT COURT

MICHAEL VERLANDER,

Plaintiff,

v.

No. 2021DCV0840

FEDEX GROUND PACKAGE SYSTEM, INC.,
and DILLON GAGE INCORPORATED,

Defendants.

MOTION TO DISMISS

MICHAEL VERLANDER, ("Plaintiff") files this Motion to Dismiss his claims against FEDEX GROUND PACKAGE SYSTEM, INC. ("FedEx Ground.")

After conferring with counsel for FedEx Ground, Plaintiff has agreed to dismiss this lawsuit against FedEx Ground and amend his Petition to reflect the name of a different entity related FedEx Ground. Accordingly, Plaintiff no longer wishes to prosecute his claims against FedEx Ground in this matter.

For the foregoing reasons, Plaintiff requests that the Court dismiss this suit without prejudice as to FedEx Ground, with the parties each bearing their own costs.

Respectfully submitted,

ScottHulse PC
P. O. Box 99123
Chase Tower, 11th Floor
El Paso, Texas 79999-9123
(915) 533-2493
(915) 546-8333 (Facsimile)

By:

STUART R. SCHWARTZ
State Bar No. 17869750-1
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on April ____, 2021, a true and correct copy of the foregoing was sent to the parties as follows:

Via Certified Mail, Return Receipt Requested

Defendant Dillon Gage Inc.
c/o Stephen W. Miller, Registered Agent
15301 Dallas Parkway, Ste. 200
Addison, Texas 75001

and

Via Certified Mail, Return Receipt Requested and electronic mail

Defendant Fedex Ground Package System, Inc.
c/o Ryan P. Stewart
Senior Counsel, Litigation
1000 FedEx Dr.
Moon Township, PA 15108
ryan.stewart@fedex.com1999

STUART R. SCHWARTZ

IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS

41ST JUDICIAL DISTRICT COURT

MICHAEL VERLANDER,

Plaintiff,

v.

FEDEX GROUND PACKAGE SYSTEM, INC.,
and DILLON GAGE INCORPORATED,

Defendants.

No. 2021DCV0840

ORDER OF DISMISSAL

MICHAEL VERLANDER, ("Plaintiff") has advised the Court that he no longer wishes to prosecute his claims against FEDEX GROUND PACKAGE SYSTEM, INC.

Plaintiff has therefore agreed to dismiss the claims asserted against FEDEX GROUND PACKAGE SYSTEM, INC. in this case.

For these reasons, the Court formally dismisses without prejudice Plaintiff's claims against FEDEX GROUND PACKAGE SYSTEM, INC. in this case. Each party shall bear their own costs.

Signed and entered this _____ day of April, 2021.

JUDGE

ScottHulse PC
ATTORNEYS AT LAW

STUART R. SCHWARTZ
BOARD CERTIFIED -- CREDITORS' RIGHTS LAW
AMERICAN BOARD OF CERTIFICATION

WRITER'S DIRECT TELEPHONE:
(915) 546-8234

E-MAIL: ssch@scotthulse.com

SCOTTHULSE.COM

1100 CHASE TOWER
201 EAST MAIN DRIVE
EL PASO, TEXAS 79901

POST OFFICE BOX 99123
EL PASO, TEXAS 79999-9123
TELEPHONE (915) 533-2493
FACSIMILE (915) 546-8333

OFFICES IN EL PASO AND LAS CRUCES

November 2, 2020

Mr. John Marquez
FedEx
Senior Security Specialist/Investigator
john.marquez@fedex.com

Mr. Bryan Pohland
Dillon Gage Metals
bpohland@dillongage.com

Re: John M. Verlander

Gentlemen:

This law firm represents John M. Verlander with respect to the tampering and theft of four (4) 100 gm gold bars that he purchased from Dillon Gage on March 3, 2020 and which were shipped by FedEx to his address in El Paso, Texas. As you know, when the shipment arrived on March 6, the box containing the gold bars had been cut open and all of the contents were missing. The shipment value is \$20,208.

Mr. Verlander has filed a police report with the El Paso Police Department, which remains pending.

Mr. Verlander is demanding that he be reimbursed the amount of the stolen shipment by November 18, 2020. It is his hope that this matter can be resolved without further legal action, but he is prepared to pursue the claim should it not be concluded by this date.

Please feel free to contact me should you have any further questions.

Very truly yours,

SCOTTHULSE, PC

Stuart R. Schwartz
Stuart R. Schwartz
For the Firm

Cc: John M. Verlander

ScottHulse PC
ATTORNEYS AT LAW

STUART R. SCHWARTZ
BOARD CERTIFIED – CREDITORS' RIGHTS LAW
AMERICAN BOARD OF CERTIFICATION

WRITER'S DIRECT TELEPHONE:
(915) 546-8234

E-MAIL: ssch@scotthulse.com

SCOTTHULSE.COM

1100 CHASE TOWER
201 EAST MAIN DRIVE
EL PASO, TEXAS 79901

POST OFFICE BOX 99123
EL PASO, TEXAS 79999-9123
TELEPHONE (915) 533-2493
FACSIMILE (915) 546-8333

OFFICES IN EL PASO AND LAS CRUCES

November 2, 2020

Mr. John Marquez
FedEx
Senior Security Specialist/Investigator
john.marquez@fedex.com

Mr. Bryan Pohland
Dillon Gage Metals
bpohland@dillongage.com

Re: John M. Verlander

Gentlemen:

This law firm represents John M. Verlander with respect to the tampering and theft of four (4) 100 gm gold bars that he purchased from Dillon Gage on March 3, 2020 and which were shipped by FedEx to his address in El Paso, Texas. As you know, when the shipment arrived on March 6, the box containing the gold bars had been cut open and all of the contents were missing. The shipment value is \$20,208.

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Please feel free to contact me should you have any further questions.

Very truly yours,

SCOTTHULSE, PC

Stuart R. Schwartz
Stuart R. Schwartz
For the Firm

Cc: John M. Verlander